



ALAMEDA COUNTY
CONGESTION MANAGEMENT AGENCY

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Memorandum

*November 3, 2009
Agenda Item 4.3*

DATE: October 27, 2009
TO: ACTAC
FROM: Vivek Bhat, Associate Transportation Engineer
RE: Federal Inactive Projects:
September 2009 Quarterly Review

Information

Federal regulations require that agencies receiving federal funds invoice against their obligations at least once every six months. Projects that do not have invoicing activity over a six month period are placed on the Inactive Obligation list, and those projects are at risk of deobligation of the project's federal funds unless Caltrans and the Federal Highways Administration (FHWA) receive either an invoice or a valid justification for inactivity. Caltrans is now tracking inactive obligations, and releasing a list of inactive projects quarterly. If Caltrans and FHWA do not receive adequate invoicing or justification for the project's inactivity, the project may be deobligated.

The Federal Inactive obligations list (Attachment A) for the September 2009 quarter (review period July to September 2009) is now available on the Division of Local Assistance website at <http://www.dot.ca.gov/hq/LocalPrograms/Inactiveprojects.htm>.

To prevent the deobligation and potential loss of unexpended federal funds for inactive projects with greater than one dollar unexpended balance, local agencies must review the list and take one of the following actions.

1. Submit a complete and correct invoice in accordance Caltrans guidelines (Attachment B) for eligible expenditures with an electronic copy to chris_jensen@dot.ca.gov by **November 25, 2009**.
2. Identify unneeded project funds and submit deobligation requests to the District Local Assistance Engineer (DLAE) by **November 25, 2009**. Process project final closeout, if applicable.
3. Submit complete justification form (Attachment C) along with all backup documentation to DLAE by **November 25, 2009** for projects that do not have eligible expenditures to be invoiced or do not have unneeded funds to be deobligated.

To prevent the deobligation and potential payback of federal funds for inactive projects with less than one dollar unexpended balance, local agencies must complete the project closeout documents with enclosures, as per 23 CFR and submit the complete package to the DLAE for review by **November 25, 2009**. Contact the DLAE for any assistance and guidance you may need to complete this package.

Please contact Chris Jensen at 916-653-3085 or Albert Yang at 916-651-8910 from Caltrans Local Assistance, if you have any questions.

Attachments

Alameda County - Inactive List for September 2009 Quarterly Review (Review Period 07/01/09 - 09/30/09)

ATTACHMENT A
ACTAC
Agenda Item 4.3
Meeting Date 11/03/09

Project No	Prefix	Federal Prog code	Responsible Agency	Description	Auth Date	Expenditure Date	Last Action Date	Total Proj Cost	Federal Funds	Expended	Unexpended Funds	LPA/MS Action (Involved) Final Voucher Process Rejected Approved Project	Documentation Received (I-Progress Invoice D-De-obligation Justification N/A-Does not req Y-Does Neede	Agency Action: Required (as of 10/23/09)
5041022	HP21L	Q920	San Leandro	E 14TH ST. MEDIAN IMPROVEMENT & LIGHTING	9/12/2002	5/25/2008	5/25/2008	\$100,000.00	\$80,000.00	\$80,000.00	\$0.00	F	N/A	In Final Voucher process; awaiting decision if more docs req'd; monitor progress.
5041029	HP21L	Q920	San Leandro	E 14TH ST. - MEDIAN IMPROVEMENT & LIGHTING	11/27/2007	11/29/2007	11/29/2007	\$658,615.00	\$623,628.00	\$0.00	\$623,629.00	N/A	X	No documentation received; submit copy of invoice or justification by 11/25/09.
5053016	CMAQ	L400	Livermore	DOWNTOWN LIVERMORE PEDESTRIAN TRANSIT CENTER, LANDSCAPED PED. WALKWAY/PATH	11/9/2007	9/4/2008	3/30/2009	\$1,161,539.00	\$1,028,309.00	\$16,339.76	\$1,011,969.24	N/A	X	No documentation received; submit copy of invoice or justification by 11/25/09.
5101013	CML	Q240	Pleasanton	I-580 FROM I-238 TO GREENVILLE R. DBLN/PLELI, UPGRADE INTEGRATION OF FWY & LOCAL	3/26/2000	6/19/2006	6/19/2006	\$2,912,286.00	\$2,167,818.00	\$2,159,635.97	\$8,182.03	N/A	X	No documentation received; submit copy of invoice or justification by 11/25/09.
5101013	CML	Q400	Pleasanton	I-580 FROM I-238 TO GREENVILLE R. DBLN/PLELI, UPGRADE INTEGRATION OF FWY & LOCAL	3/26/2000	6/19/2006	6/19/2006	\$1,201,620.00	\$1,055,182.00	\$1,024,285.06	\$30,896.94	N/A	X	No documentation received; submit copy of invoice or justification by 11/25/09.
5322025	CML	Q400	Fremont	AT VARIOUS SPOT INTERSECTIONS, TRAFFIC SIGNAL CONTROLLERS	7/1/2001	1/3/2006	1/3/2006	\$720,000.00	\$312,000.00	\$262,779.45	\$29,220.55	N/A	X	No documentation received; submit copy of invoice or justification by 11/25/09.
5933028	SEISMIC	33D0	Alameda County	OAKLAND ESTUARY (FRUITVALE AV) BR NO 33C-0147, SEISMIC RETROFIT	9/11/1996	7/11/2006	7/11/2006	\$25,000.00	\$22,132.00	\$16,841.30	\$5,290.70	N/A	X	No documentation received; submit copy of invoice or justification by 11/25/09.
5933030	SEISMIC	33D0	Alameda County	VARIOUS LOCATIONS (SEE STATE COMMENTS), SEISMIC RETROFIT	9/11/1996	7/7/2006	7/7/2006	\$50,000.00	\$44,265.00	\$15,664.54	\$28,600.46	R	X	Invoice rejected; correct and return to LPA by 11/25/09.
5933074	STPL	H240	Alameda County	VASCO RD BETWEEN LIVERMORE AND CC COUNTY LINE, ROADWAY ALIGNMENT AND ROW	5/12/2005	2/22/2008	6/20/2008	\$5,400,000.00	\$3,900,000.00	\$3,900,000.00	\$0.00	R	X	Invoice rejected; correct and return to LPA by 11/25/09.
5933074	STPL	HY10	Alameda County	VASCO RD BETWEEN LIVERMORE AND CC COUNTY LINE, ROADWAY ALIGNMENT AND ROW	5/12/2005	2/22/2008	6/20/2008	\$286,382.00	\$136,876.00	\$0.00	\$136,876.00	R	X	Invoice rejected; correct and return to LPA by 11/25/09.
5933074	STPL	L240	Alameda County	VASCO RD BETWEEN LIVERMORE AND CC COUNTY LINE, ROADWAY ALIGNMENT AND ROW	5/12/2005	2/22/2008	6/20/2008	\$19,562,764.00	\$9,350,000.00	\$0.00	\$9,350,000.00	R	X	Invoice rejected; correct and return to LPA by 11/25/09.
5933074	STPL	LY10	Alameda County	VASCO RD BETWEEN LIVERMORE AND CC COUNTY LINE, ROADWAY ALIGNMENT AND ROW	5/12/2005	2/22/2008	6/20/2008	\$1,190,926.00	\$433,202.00	\$0.00	\$433,202.00	R	X	Invoice rejected; correct and return to LPA by 11/25/09.
6084101	RSTP	H230	Metropolitan Transportation Commission	BAY AREA PLANNING ACTIVITIES FY 04/05, CMA	8/12/2004	7/9/2007	7/3/2007	\$3,656,390.00	\$3,237,000.00	\$3,118,019.87	\$118,980.13	N/A	X	No documentation received; submit copy of invoice or justification by 11/25/09.
6084101	RSTP	Q230	Metropolitan Transportation Commission	BAY AREA PLANNING ACTIVITIES FY 04/05, CMA	8/12/2004	7/9/2007	7/3/2007	\$946,573.00	\$838,000.00	\$806,980.06	\$31,019.94	N/A	X	No documentation received; submit copy of invoice or justification by 11/25/09.

----- Forwarded by Sylvia Fung/D04/Caltrans/CAGov on 09/09/2009 04:08 PM
-----Bakari Akil/D04/Caltrans /CAGov
To Local Assistance - Public Works Directors 09/09/2009 03:48 PM

Subject New Procedure - Invoice Package Submittals

Dear Directors,

As you may be aware of, new procedures were implemented associated with the review and approval of local agency invoices for federal and state funded local transportation projects administered by Caltrans that went into effect September 1, 2009.

The purpose of this communication is to establish the procedure for handling the review and approval of invoices with Caltrans District 4.

There have been no changes to the existing requirements arising from the new procedures for the submittal of your invoices. Please refer to DLA- OB 09-05 (Local Agency Invoice Review) @ http://www.dot.ca.gov/hq/LocalPrograms/DLA_OB/DLA_OB.htm for details. Caltrans expects the following procedure to be adhered to by local agencies when submitting invoice packages:

- Effective September 1, 2009, all invoice packages for Caltrans - District 4 are to be submitted to the attn. of Mr. Bakari Akil @ Caltrans - Office of Local Assistance, Mail Station 10-B, P.O. Box 23660, Oakland, CA 94623 - 0660.
- Perform work and/or make progress estimates and payments to contractors/consultant.
- Prepare timely and accurate progress invoices (ensuring support documentation and a certification affirming the accuracy of the invoice package is included).
- Submit an original signed invoice on agency letterhead with 2 copies of the original invoice and 2 copies of your supporting documentation.
- Submit a copy of Exhibit 15-G2 "Local Agency Bidder DBE Information" (Construction Contracts) within 15 days of contract execution. Failure to submit this may result in deobligation of funds for your project.
- Submit a copy of the contract Award Package to DLAE within 60 days of contract award. Failure to submit the Award Package will delay the payment of the first construction invoice. (Please note that invoices that are received prior to or without the submission of an Award Package will be returned).
- Submit a contract Bid Summary/Cost to Date form to verify that the completed work is consistent with the total Federal/State funds invoiced.
- For consultant service contracts, submit a copy of the executed agreement and substantiation of the consultant selection process being in compliance with the requirements stipulated in Chapter 10 "Consultant Selection" of the Local Assistance Procedures Manual along with the first invoice.
- Submit an invoice a minimum of every 6 months to avoid placement on inactive projects list.

Feel free to contact me should you have additional questions or concerns.

Bakari Akil
Office of Local Assistance
510 622-5912
510 286-5240 Fax
bakari_akil@dot.ca.gov

CALIFORNIA DEPARTMENT OF TRANSPORTATION QUARTERLY REVIEW OF INACTIVE PROJECTS - SEPTEMBER 2009 INACTIVE PROJECT SUMMARY					
1. CT DIST. FEDERAL AID PROJECT NO.		2. PROJECT SPONSOR		3. DATE	
4. GENERAL LOCATION					
5. GENERAL DESCRIPTION OF WORK (INCLUDE PROJECT PHASES WITH OBLIGATED FUNDS)					
6. AUTHORIZATION DATE	7. FEDERAL AID FUNDS AUTHORIZED	8. PGM CODE	9. PHASE (from E70)	10. FEDERAL FUNDS EXPENDED TO DATE	11. UNEXPENDED FEDERAL FUNDS
TOTAL:					
12. LAST ACTIVITY (BILLING DATE)					
13. JUSTIFICATION (CHECK ONE OR MORE IF APPLICABLE) Justifications will be considered by FHWA for approval. Approval is not guaranteed.					
<input type="checkbox"/> Right of Way delay <input type="checkbox"/> Environmental Approval <input type="checkbox"/> Program Specific Issue (RABA, DEMO, TCSP) <input type="checkbox"/> Litigation <input type="checkbox"/> Final Voucher					
14. LIST PROJECT HISTORY FROM INITIAL AUTHORIZATION OR FROM LAST BILLING. (LIST CURRENT PROJECT STATUS/REASON FOR PROJECT BEING INACTIVE. PROVIDE BACKUP DOCUMENTATION)					
15. ACTIONS TAKEN TO RESOLVE EXISTING ISSUE(S)					
16. DATE/ACTIVITIES TO BE RESUMED					
17. DATE BILLINGS OR OTHER CORRECTIVE ACTION TO BE TAKEN (e.g. closure, withdrawal, etc.)					
18. CURRENT COST ESTIMATE NEEDED TO COMPLETE PROJECT			19. IF ESTIMATE IS LESS THAN UNEXPENDED BALANCE, AMOUNT TO BE DEOBLIGATED (Attach copy of E-70 indicating deobligation)		
20. CONSEQUENCES IF FUNDS ARE DEOBLIGATED					
21. ADDITIONAL DOCUMENTATION (LIST ATTACHMENTS) TO SUPPORT VALIDATION OF THIS OBLIGATION					
22. AGENCY CONTACT		23. AGENCY E-MAIL		24. SIGNATURE	25. PHONE NUMBER
26. FORM REVIEWED AND RECOMMENDED FOR APPROVAL BY					
CT DISTRICT CONTACT		SIGNATURE		PHONE NUMBER	DATE

Please go through the check list before submitting your justification form (DO NOT leave anything blank)			
#	Information(s) Required	Additional Information	Check
1	Enter the District number and federal project number (including the project prefix, e.g. STPL)		
2	Enter Responsible Agency		
3	Enter date you've completed the form		
4	Enter route information and location description		
5	Enter work description including project phases with obligated funds		
6	Enter date when funds were authorized. Use a separate line for each phase with authorized federal funds.	Refer to the current inactive list/file posted in the web.	
7	Enter authorized federal funds.	Refer to the current inactive list/file posted in the web.	
8	Enter all program code(s)	Refer to the current inactive list/file posted in the web.	
9	Enter project phase	Use E-76 for this item.	
10	Enter accumulated expenditure by program code	Refer to the current inactive list/file posted in the web.	
11	Enter unexpended funds	Refer to the current inactive list/file posted in the web.	
12	Enter last billing date	Refer to the current inactive list/file posted in the web.	
13	Select the appropriate reason(s) for justification.		
14	List project history.	Include project timeline from the time of authorization or last financial transaction to present. e.g. original bid rejected - costs exceeded engineer estimate by XX%.	
15	Action(s) taken to resolve the issue	Explain why previous commitment has not been met. e.g. to be re-advertised after additional funding determinations.	
16	Enter date activities to be resumed	e.g. Revised date for contract award.	
17	Enter billing dates or other corrective action to be taken		
18	Enter current cost estimate needed to complete		
19	Enter amount to be deobligated for unneeded funds		
20	Enter reason/consequences if funds are deobligated		
21	Additional back-up documentation	Copy of environmental approval; litigation; r/w acquisition; copy of invoice; proof that they have been working on a project since initial authorization; project timeline and funding plan; PSA; etc.	
22	Enter contact person from local agency	Person prepared the justification must sign the form.	
23	DLAE approving official	Person reviewing and approving the justification must sign the form.	
ANY INCOMPLETE JUSTIFICATION FORM WILL BE SENT BACK TO DLAE			